



BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-404-C - ORDER NO. 91-127
FEBRUARY 5, 1991

IN RE: Petition of Commission Staff)
 For a Rule to Show Cause For) ORDER
 Interexchange Carriers For Not)
 Filing Surveillance Reports.)

This matter is before the Public Service Commission of South Carolina (the Commission) by way of the Commission's July 9, 1990, Rule to Show Cause Order No. 90-661 against certain interexchange carriers for non-compliance with Commission Order No. 88-178, issued February 18, 1988, in Docket No. 87-483-C. Order No. 88-178, issued after a hearing in which the Commission heard testimony from all interested interexchange carriers, requires interexchange carriers to file annual "surveillance reports" containing certain limited financial information. The information contained in the reports is necessary in order for the Commission "to determine a company's experience under the maximum rate methodology of regulation and to judge the impact of future changes in access charges." See Order No. 88-178.

By letter, the Commission Staff contacted those interexchange carriers who had not filed their 1989 surveillance reports and

notified them of the Rule to Show Cause. On January 23, 1991, at 2:30 p.m., the Commission held a hearing to give non-complying interexchange carriers the opportunity to explain why they should not be required to file annual surveillance reports or why their Certificate of Public Convenience and Necessity should not be revoked.

At the hearing, Mitchell M. Willoughby, Esquire, appeared on behalf of National Telephone Services, Inc.; William O. Higgins, Esquire, appeared on behalf of Communications Service, Inc.; Charles Carpenter, Esquire, appeared on behalf of Phone America of Carolina, Inc.; Robert D. Coble, Esquire, appeared on behalf of Business Telecom; and Marsha A. Ward, General Counsel, appeared on behalf of the Commission Staff.

Edwin Boyer, Project Administrator in the Commission's Administration Division, testified on behalf of the Commission and provided the Commission with a list of interexchange carriers who had not filed their 1989 reports at the time he reviewed the Commission's files. Exhibit 1 of the pre-filed testimony. Boyer testified that since the issuance of the Rule to Show Cause, several interexchange carriers had complied with Order No. 88-178 and had filed their reports.

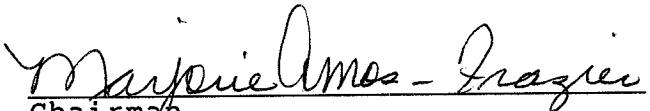
Resurgens Communications Group, Inc., Low Country Carriers, Inc., American Network Exchange, National Telephone Services, Inc., Metromedia, Phone America of Carolina, Inc. and Business Telecom presented witnesses sponsoring their respective prefiled testimony. The President of TTE of Charleston, John Mitchum, made a statement

for the record. Each of these interexchange carriers submitted their surveillance reports and agreed to comply with Order No. 88-178 in the future.

Based on the information provided by the Commission Staff and presented by interexchange carriers at the hearing, the Commission finds that International Telecharge, Inc., Elcotel, Inc., National Celstar, Inc., and Triple Crown Industries, Inc., have failed to comply with the filing requirement of Order No. 88-178 and with the Commission's Rule to Show Cause Order No. 90-661. Because of their disregard for the Commission's Orders, the Commission determines that the Certificates of Public Convenience and Necessity issued to these four interexchange carriers should be revoked. Accordingly, the certificates issued to International Telecharge, Inc., Elcotel, Inc., National Celstar, Inc., and Triple Crown Industries, Inc., are hereby revoked.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)